

JAN-30-2004 12:18

SUGHRUE MION PLLC

RECEIVED
CENTRAL FAX CENTER

202 293 7860 P.01

2100 Pennsylvania Avenue, NW
Washington, DC 20037-3213

T 202.293.7060
F 202.293.7860

www.sughrue.com



JAN 30 2004

OFFICIAL

FAX

Date January 30, 2004

To Examiner Chandrika Prasad, Art Unit 2839

Of U.S. PATENT AND TRADEMARK OFFICE

Fax (703) 872-9306

From Christopher R. Lipp

Subject U.S. Application No. 09/972,902

Attorney Docket A7964

Pages 19
(including cover sheet)

Please call attention to problems with this transmission by return fax or telephone. Thank you.

THE INFORMATION CONTAINED IN THIS COMMUNICATION IS CONFIDENTIAL, MAY BE ATTORNEY-CLIENT PRIVILEGED, AND IS INTENDED ONLY FOR THE USE OF THE ADDRESSEE. UNAUTHORIZED USE, DISCLOSURE OR COPYING IS STRICTLY PROHIBITED AND MAY BE UNLAWFUL IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US.

Dear Examiner Prasad:

Further to our telephone conversation today, faxed herewith is a copy of the Amendment, as well as the date-stamped filing receipt, as filed in the U.S. Patent and Trademark Office on December 29, 2003.

If you have any questions or if I can be of further assistance, please contact me at (202) 663-7425.

Sincerely,

Christopher R. Lipp
Registration No. 41,157

FILING RECEIPT
PLEASE DATE STAMP AND RETURN TO US - BOX 235X

In re application of

Nicholas NECHITAILO

Appln. No.: 09/972,902

Group Art Unit: 2839

Confirmation No.: 4465

Examiner: Chandrika Prasad

Filed: October 10, 2001

For: OPTICAL FIBER CABLE WITH CUSHION MEMBERS PROTECTING OPTICAL FIBER
RIBBON STACK (As Amended)

PAPER(S) FILED ENTITLED:

1. Amendment Under 37 C.F.R. §1.116
2. Statement of Substance of Interview

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER



DOCKET NO.: A7964
ATTORNEY/SEC: BWH/CRL/tlb
Date Filed: December 29, 2003

PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: A7964

Nicholas NECHITAILO

Appln. No.: 09/972,902

Group Art Unit: 2839

Confirmation No.: 4465

Examiner: Chandrika Prasad

Filed: October 10, 2001

For: OPTICAL FIBER CABLE WITH CUSHION MEMBERS PROTECTING OPTICAL
FIBER RIBBON STACK (As Amended)

STATEMENT OF SUBSTANCE OF INTERVIEW

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please review and enter the following remarks summarizing the interview conducted on
December 16, 2003:

REMARKS

An Examiner's Interview Summary Record (PTO-413) provided at the conclusion of the interview. Applicant submits that the Examiner's statement regarding the substance of the interview as set forth on the Interview Summary Record (PTO-413) is correct except for the Examiner's statement regarding "further amendments to overcome Keller". During the interview, independent claims 1 and 15 were discussed with regards to Coleman and Keller. Further, as indicated in the Interview Summary Record, the rejections under 35 U.S.C. § 112, first paragraph, have been overcome, and the prior art rejections based on Coleman would be overcome if claims 1 and 15 are amended to recite a plurality of cushion members. Lastly, Applicant is submitting

STATEMENT OF SUBSTANCE OF INTERVIEW
U.S. Patent Application No. 09/972,902

herewith an Amendment containing remarks which reflect the claims, amendments and prior art discussed during the interview.

It is believed that no petition or fee is required. However, if the USPTO deems otherwise, Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to Deposit Account No. 19-4880.

Respectfully submitted,



Christopher R. Lipp
Registration No. 41,157

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: December 29, 2003

Attorney Docket No.: A7964